

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 Clifford James Schuett,

5 Petitioner

6 v.

7 United States of America,

8 Respondent
9

2:14-cr-00364-JAD-GWF-1

**Order Denying Motion for Sentence
Reduction**

[ECF Nos. 254, 255]

10 Petitioner Clifford James Schuett is imprisoned at FCI Petersburg in Virginia,¹ where he
11 serves a 75-month sentence after he pled guilty in 2014 to one count of threatening to kill or
12 cause damage by explosive.² He now moves for a sentence reduction “for the good of the
13 government.”³ He suggests that he’s no threat to society—the courthouse bomb threats that he
14 called in were false and thus harmless—and he argues that the Bureau of Prisons is violating his
15 rights and federal law by ignoring his myriad medical issues.

16 Schuett has many times moved me for a sentence reduction and to intervene in his
17 conditions of confinement, and each time I have explained that I lack the jurisdiction to grant the
18 type of relief he requests.⁴ This request fares no better than the handful I’ve already denied. “A
19 court generally may not . . . modify a sentence of imprisonment once it has been imposed,” and
20 sentencing courts are deprived of the power to amend a sentence 14 days after the judgment is
21 entered.⁵ Schuett has not offered me any lawful basis to modify his sentence, which I imposed
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23 ¹ FEDERAL BUREAU OF PRISONS, <https://www.bop.gov/inmateloc/> (last visited Jan 24, 2018).

24 ² See ECF No. 213 at 2, 38–39.

25 ³ ECF No. 254.

26 ⁴ See ECF Nos. 230, 234, 238, 242, 253.

27 ⁵ *United States v. Aguilar-Reyes*, 653 F.3d 1053, 1055 (9th Cir. 2011).
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1 three years ago. And, to the extent that Schuett is complaining of his conditions of confinement,
2 I'm not the right judge to complain to. "Petitions that challenge the manner, location, or
3 conditions of a sentence's execution must be brought pursuant to § 2241 in the custodial court,"⁶
4 and because he is imprisoned in Virginia, mine is not the custodial court.

5 Accordingly, it is hereby ORDERED, ADJUDGED, and DECREED that Schuett's
6 motion for a sentence reduction [ECF No. 254] and accompanying request for a hearing [ECF
7 No. 255] are DENIED.

8 DATED: January 24, 2018.

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Jennifer A. Dorsey
United States District Judge

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⁶ *Hernandez v. Campbell*, 204 F.3d 861, 864 (9th Cir. 2000).